

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

18 U.S.C. §§ 2252(a)(2) and (b) - Distribution of Child
 Pornography;
 18 U.S.C. § 2253(a) - Criminal Forfeiture

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: 18 U.S.C. §§ 2252(a)(2) and (b): 5 years minimum imprisonment,
 20 year maximum. \$250,000 fine. Minimum of 5 years of
 supervised release, lifetime maximum. \$100 special assessment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
 DIVISION- OAKLAND

DEFENDANT - U.S.

Victor Melero-Luna

DISTRICT COURT NUMBER

CR 22 0434

U.S.D.C.

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges

- 2) ☐ Is a Fugitive

- 3) ☐ Is on Bail or Release from (show District)

FILED**NOV 10 2022****IS IN CUSTODY**

- 4) ☐ On this charge
 5) ☐ On another conviction
 6) ☐ Awaiting trial on other charges

CLERK, U.S. DISTRICT COURT
 NORTH DISTRICT OF CALIFORNIA
 OAKLAND OFFICE

☐ Federal ☒ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
 Homeland Security Investigations

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form STEPHANIE M. HINDS

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Charles F. Bisesto

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

NOV 10 2022

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

UNITED STATES OF AMERICA,

V.

VICTOR MELERO-LUNA

CR 22 0434 **USDC**

DEFENDANT(S). 

INDICTMENT

18 U.S.C. §§ 2252(a)(2) and (b) – Distribution of Child Pornography;
18 U.S.C. § 2253(a) – Criminal Forfeiture

A true bill.

151

Foreman

Filed in open court this 10 day of

November, 2022

Jury L. Gasain *11/10/2022*

Clerk

Bail, \$ Warrant

Don
Hon. Donna M. Ryu, U.S. Magistrate Judge

FILED

NOV 10 2022

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

STEPHANIE M. HINDS (CABN 154284)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR MELERO-LUNA

Defendant.

CASE NO.

VIOLATIONS:

18 U.S.C. §§ 2252(a)(2) and (b) – Distribution of
Child Pornography;

18 U.S.C. § 2253(a) – Criminal Forfeiture

San Francisco

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. §§ 2252(a)(2) and (b) – Distribution of Child Pornography)

On or about March 19, 2019, in the Northern District of California, the defendant,

VICTOR MELERO-LUNA,

did knowingly distribute a visual depiction, using a means and facility of interstate and foreign commerce, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and which visual depiction was of such conduct, all in violation of Title 18, United States Code, Sections 2252(a)(2) and (b).

INDICTMENT

1 FORFEITURE ALLEGATION: (18 U.S.C. § 2253(a))

2 The allegations contained in this Indictment are re-alleged and incorporated by reference for the
3 purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253.

4 Pursuant to Title 18, United States Code, Section 2253, upon conviction of the offenses set forth
5 in this Indictment, the defendant,

6 VICTOR MELERO-LUNA,

7 shall forfeit to the United States of America:

- 8 a. any visual depiction described in Title 18, United States Code, Sections 2251 or
9 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter
10 which contains any such visual depiction, which was produced, transported, mailed,
11 shipped or received in violation of Title 18, United States Code, Chapter 110;
12 b. any property, real or personal, constituting or traceable to gross profits or other
13 proceeds obtained from the offenses; and
14 c. any property, real or personal, used or intended to be used to commit or to promote
15 the commission of the offenses.

16 The property to be forfeited includes, but is not limited to:

- 17 a. One Apple iMac, Model A1224, seized from defendant at his residence on January
18 15, 2020.
19 b. One Apple iPhone Xs, seized from defendant's residence on January 15, 2020.
20 c. One Apple iPhone 8, seized from defendant's residence on January 15, 2020.
21 d. One Apple iPhone 11, seized from defendant's residence on January 15, 2020.
22 e. One Apple iPhone 4s, seized from defendant's residence on January 15, 2020.

23 If any of the property described above, as a result of any act or omission of the defendant:

- 24 a. cannot be located upon exercise of due diligence;
25 b. has been transferred or sold to, or deposited with, a third party;
26 c. has been placed beyond the jurisdiction of the court;
27 d. has been substantially diminished in value; or
28 e. has been commingled with other property which cannot be divided without

1 difficulty,
2 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
3 United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b)
4 and Title 28, United States Code, Section 2461(c).

5
6 All pursuant to Title 18, United States Code, Section 2253, Title 28, United States Code,
7 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

8
9 DATED: November 10, 2022

A TRUE BILL.

10
11 151
12 FOREPERSON

13 STEPHANIE M. HINDS
14 United States Attorney

15 /s/ Charles F. Bisesto
16 CHARLES F. BISESTO
17 Assistant United States Attorney